

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
V.	§	
	§	CASE NO. 4:14CV206
JOYCE GRAY, INDIVIDUALLY, AND AS	§	Judge Mazzant/Judge Johnson
EXECUTRIX, OF THE ESTATE OF J.L. GRAY	§	
Defendants, and	§	
	§	
JP MORGAN CHASE BANK NA, NORTHERN	§	
INSURANCE COMPANY OF NEW YORK and	§	
MARYLAND CASUALTY COMPANY, IPFS	§	
CORPORATION dba IMPERIAL CREDIT	§	
CORPORATION, TEXAS WORKFORCE	§	
COMMISSION,	§	
	§	
Defendants (who may claim an interest	§	
in the realty sought to be foreclosed).	§	

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 25, 2014, the report of Magistrate Judge Don D. Bush (now retired) was entered containing proposed findings of fact and recommendations that the United States of America's Motion for Default Judgment (Dkt. #30) be **GRANTED** and that the Final Default Judgment attached to Plaintiff's motion, *see* Dkt. #30-2, be entered for Plaintiff. No objections were filed to the report, and on March 31, 2015, District Judge Richard A. Schell entered a memorandum adopting the Magistrate Judge's report and recommendation (*see* #Dkt. 38).

Subsequently, on July 18, 2016, Judge Schell recused himself, and the case was reassigned to the undersigned. *See* Dkt. 56. As a result of Judge Schell's recusal, the

memorandum adopting the Magistrate Judge's report and recommendation (Dkt. #38) was rescinded. In entering the order to address motions underlying various other orders rescinded due to Judge Schell's recusal, the Magistrate Judge's report and recommendation was erroneously withdrawn (*see* Dkt. #57).

In order to accurately reflect the current procedural posture of this case, and to ensure clarity in the record, the erroneous Order (Dkt #57) was withdrawn. *See* Dkt. #62. Accordingly, the Magistrate Judge's report and recommendation was reinstated and is now properly before the Court.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, the United States of America's Motion for Default Judgment (Dkt. #30) is **GRANTED** and a final default judgment shall be entered for Plaintiff.

**IT IS SO ORDERED.**

**SIGNED this 10th day of November, 2016.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE